

Housing Protections for Servicemembers Check-Sheet

Eligibility

Servicemembers and military families face unique financial circumstances and therefore are entitled to specific financial and housing protections. Under the Servicemembers Civil Relief Act (SCRA), servicemembers (of the Marine Corps, Navy, Army, Air Force, Coast Guard, and Space Force) on active duty, who will serve for 30 days or more, are eligible for several financial and lending protections. SCRA protections begin the date the active duty orders were received. Servicemembers on reserve are not covered by the SCRA protections. However, if a servicemember on reserve receives active duty orders, they become eligible for SCRA protections the date the orders were received. To ensure your client is eligible for SCRA protections, you can conduct a military status verification by visiting <https://scra.dmdc.osd.mil/scra/>.

Your client, a servicemember on active duty or their family, is facing foreclosure and mortgage default. Here are the SCRA protections you should know.

- If a servicemember is on active duty, or within 9 months after, the servicemember's property cannot be foreclosed, sold, or seized without a court order or without waiving their rights. (See [SCRA](#), p. 19-20)

Your client, a servicemember on active duty or their family, is facing eviction. Here are the SCRA protections you should know.

- A servicemember (and/or their dependents) cannot be evicted without a court order during the servicemembers' active duty if the premises are occupied as a residence or for which rent does not exceed \$4,089.62. (See [SCRA](#), p. 17 and [Publication of Housing Price Inflation Adjustment](#))
- A servicemember may request, or a court may motion on its own, a stay of execution for 90 days. (See [SCRA](#), p. 18)
- A servicemember can terminate a residential lease, without penalty, at any point following their entry into military service, including after receiving a Permanent Change of Station (PCS) order or deployment order. (See [SCRA](#), p. 20)

Other SCRA Protections

- Interest rates on debts incurred before military service for servicemembers, or their spouse jointly, must not exceed 6% during active duty or one year after. (See [SCRA](#), 15-16)
- If a servicemember entered an installment contract for the purchase of real or personal property, prior to their military service or during, and breaches the terms of that contract, the property may not be repossessed without a court order. (See [SCRA](#), p. 18-19)

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- A servicemember can terminate a motor vehicle lease, without penalty, at any point following their entry into military service, including after receiving a Permanent Change of Station (PCS) order or deployment order. (See [SCRA](#), p. 20)

- If a storage lien is held on a servicemember's personal property or effects may not take possession or enforce the lien during the servicemember's active duty, or within 90 days after, without a court order that was granted before the foreclosure or enforcement. (See [SCRA](#), p. 25-26)

Resource List

RESOURCE NAME AND LINK	DESCRIPTION
Armed Forces Legal Services Locator	Locator of general legal services offered within the Continental United States (CONUS) for active duty servicemembers.
Consumer Financial Protection Bureau (CFPB) Office of Servicemember Affairs	CFPB financial protection tools and resources for military families, servicemembers, and veterans.
U.S. Department of Veterans Affairs Regional Loan Center Contact Information	Contact information for local Regional VA Loan Centers. All questions regarding VA home loan eligibility, can be directed to the Regional Loan Center that has jurisdiction over the state where the property is located.

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Unique Servicemember Eligibility for The Servicemembers Civil Relief Act (SCRA)

United States Servicemembers or Other	Active Duty	Active Reserve	Inactive Reserve	Veteran	Retired	Other
Army	Eligible	Not Eligible (Unless called to Active Duty)	Not Eligible	Not Eligible	Not Eligible	N/A
Navy	Eligible	Not Eligible (Unless called to Active Duty)	Not Eligible	Not Eligible	Not Eligible	N/A
Air Force	Eligible	Not Eligible (Unless called to Active Duty)	Not Eligible	Not Eligible	Not Eligible	N/A
Marine Corps	Eligible	Not Eligible (Unless called to Active Duty)	Not Eligible	Not Eligible	Not Eligible	N/A
Coast Guard	Eligible	Not Eligible (Unless called to Active Duty)	Not Eligible	Not Eligible	Not Eligible	N/A
Space Force	Eligible	Not Eligible (Unless called to Active Duty)	Not Eligible	Not Eligible	Not Eligible	N/A
National Guard (called to service by order of the Federal Government)	Eligible	Not Eligible (Unless called to Active Duty)	Not Eligible	Not Eligible	Not Eligible	N/A
Commissioned officer of the Public Health Service or National Oceanic and Atmospheric Administration (NOAA)	Eligible	Not Eligible (Unless called to Active Duty)	Not Eligible	Not Eligible	Not Eligible	N/A
Spouse, Domestic Partner, or Dependent of Eligible Servicemember	N/A	N/A	N/A	N/A	N/A	Eligible